

**UNITED STATES BANKRUPTCY APPELLATE PANEL
OF THE TENTH CIRCUIT**

IN RE ROHIT PODDAR,

Debtor.

BAP No. CO-12-018

VIPO ENERGY RESOURCES INC,

Appellant,

Bankr. No. 11-23444
Chapter 7

v.

ORDER DISMISSING APPEAL

April 3, 2012

PAUL GEFREH, Trustee, UNITED
STATES TRUSTEE, FARM CREDIT
OF SOUTHERN COLORADO, FLCA,
PNC BANK, NATIONAL
ASSOCIATION, and ROHIT
PODDAR,

Appellees.

Before NUGENT, RASURE, and KARLIN, Bankruptcy Judges.

On March 15, 2012, this Court entered two Notices of Deficiency and Order to Show Cause (“Orders”), requiring the Appellant Vipo Energy Resources Inc. to do the following within fourteen (14) days, or the appeal would be dismissed:

Appellant must either (i) pay to the bankruptcy court the filing and docketing fees for this appeal as required by 28 U.S.C. § 1930 and 10th Cir. BAP Local Rule 8001-5, or (ii) obtain a waiver of such fees by filing a motion with the bankruptcy court pursuant to 28 U.S.C. § 1930(f) and 10th Cir. BAP Local Rule 8001-6.

The corporate Appellant must obtain counsel within fourteen (14) days of the shown above, and counsel must immediately file with this Court an entry of appearance. See 10th Cir. BAP L.R. 8001-4(a).

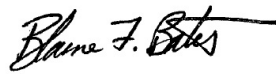
The deadlines set forth in the Orders has expired without a response. Fed. R. Bankr. P. 8001(a); 10th Cir. BAP L.R. 8001-5; 8018-4(c). As such, this appeal

must be dismissed, subject to Appellant's right to cure during the rehearing period set forth in Federal Rule of Bankruptcy Procedure 8015, after which time our mandate will issue, divesting this Court of jurisdiction over this appeal.¹

Accordingly, it is HEREBY ORDERED that:

- (1) This appeal is DISMISSED for failure to prosecute. Fed. R. Bankr. P. 8001(a); 10th Cir. BAP L.R. 8018-4(a) & (c).

For the Panel:

A handwritten signature in black ink, appearing to read "Blaine F. Bates", with a stylized flourish at the end.

Blaine F. Bates
Clerk of Court

¹ We note Appellant's additional failure to file its Designation of Record and Statement of Issues with the bankruptcy court (*see* Federal Rule of Bankruptcy Procedure 8006), and Entry of Appearance, Statement of Interested Parties, and Statement Regarding Oral Argument (*see* 10th Circuit BAP Local Rules 8001-4; 8006-1). In order to exercise its right to cure, Appellant must also satisfy these deficiencies during the rehearing period set forth in Federal Rule of Bankruptcy Procedure 8015.